

HOUSE BILL No. 1283

DIGEST OF INTRODUCED BILL

Citations Affected: IC 22-4-12-1.5.

Synopsis: Unemployment insurance benefits fees. Prohibits the department of workforce development (department) from requiring an individual receiving unemployment insurance benefits (benefits) to pay a fee or charge to access the benefits or information about the receipt or payment of the benefits. Requires the department to pay or reimburse any fee or charge assessed against an individual receiving benefits in order to access the benefits or information about the receipt or payment of the benefits. Provides that for any agreement that the department has entered into to manage or administer the benefits, the department shall: (1) modify the agreement to eliminate or require the department to pay any fee or charge assessed against an individual to access the benefits or information about the receipt or payment of the benefits; (2) cancel the agreement; or (3) terminate the agreement.

Effective: Upon passage; July 1, 2008.

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January 15, 2008, read first time and referred to Committee on Labor and Employment.

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Introduced

Second Regular Session 115th General Assembly (2008)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2007 Regular Session of the General Assembly.

HOUSE BILL No. 1283

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 22-4-12-1.5 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2008]: **Sec. 1.5. (a) This section does not apply to the payment of**
4 **unemployment insurance benefits by paper check.**

5 **(b) The department shall not require an individual receiving**
6 **unemployment insurance benefits to pay a fee or charge to access:**

7 **(1) the benefits; or**

8 **(2) information about the receipt or payment of the benefits.**

9 **(c) If the payment of unemployment benefits to an individual**
10 **entitled to receive the benefits requires payment of a fee or charge**
11 **to access:**

12 **(1) the benefits; or**

13 **(2) information about the receipt or payment of the benefits;**
14 **the department shall pay the fee or charge.**

15 SECTION 2. [EFFECTIVE JULY 1, 2008] **(a) IC 22-4-12-1.5, as**
16 **added by this act, does not apply to or abrogate an agreement or**
17 **a contract in effect on July 1, 2008.**

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(b) IC 22-4-12-1.5, as added by this act, applies to an agreement or a contract entered into, modified, renewed, or extended after June 30, 2008.

(c) This SECTION expires July 1, 2011.

SECTION 3. [EFFECTIVE UPON PASSAGE] (a) As used in this SECTION, "payment agreement" means an agreement entered into by the department to manage or administer the payment of unemployment insurance benefits by a means other than a paper check.

(b) As used in this SECTION, "department" refers to the department of workforce development established by IC 22-4.1-2-1.

(c) The department shall do the following:

(1) For an individual who, before the effective date of this SECTION:

(A) received unemployment insurance benefits by a means other than paper check; and

(B) was assessed or paid a fee or charge that was established by or as the result of a payment agreement in order to access:

(i) the benefits; or

(ii) information about the receipt or payment of the benefits;

reimburse all fees or charges assessed against or paid by the individual.

(2) For an individual who, after the effective date of this SECTION and before the effective date of a modification, cancellation, or termination described in subdivision (3):

(A) receives unemployment insurance benefits by a means other than paper check; and

(B) is assessed a fee or charge that was established by or as the result of a payment agreement in order for the individual to access:

(i) the benefits; or

(ii) information about the receipt or payment of the benefits;

pay all fees or charges assessed against the individual.

(3) For each payment agreement, do one (1) of the following not later than December 31, 2008:

(A) modify the payment agreement to eliminate or require the department to pay all fees or charges assessed against an individual receiving unemployment insurance benefits

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1 in order for the individual to access:
2 (i) the benefits; or
3 (ii) information about the receipt or payment of the
4 benefits;
5 (B) cancel the payment agreement; or
6 (C) terminate the payment agreement.
7 (d) This SECTION expires July 1, 2013.
8 SECTION 4. An emergency is declared for this act.

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